

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 30 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DAVINDER SINGH,

No. 18-70694

Petitioner,

Agency No. A070-642-168

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted May 21, 2019**

Before: THOMAS, Chief Judge, FRIEDLAND and BENNETT, Circuit Judges.

Davinder Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings. We dismiss the petition for review.

We lack jurisdiction to review the BIA's discretionary decision not to reopen

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

proceedings sua sponte, where Singh’s contentions do not amount to colorable constitutional claims or questions of law. *See Bonilla v. Lynch*, 840 F.3d 575, 588 (9th Cir. 2016) (jurisdiction to review BIA decisions denying sua sponte reopening is limited to reviewing the reasoning behind the decisions for legal or constitutional error); *see also Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) (“To be colorable in this context, . . . the claim must have some possible validity.” (citation and internal quotation marks omitted)); *Najmabadi v. Holder*, 597 F.3d 983, 990 (9th Cir. 2010) (BIA is only required to “announce its decision in terms sufficient to enable” review).

PETITION FOR REVIEW DISMISSED.